Article - State Government

§12–107.

(a)   A claim under this subtitle shall:

(1)   contain a concise statement of facts that sets forth the nature of the claim, including the date and place of the alleged tort;

(2)   demand specific damages;

(3)   state the name and address of each party;

(4)   state the name, address, and telephone number of counsel for the claimant, if any; and

(5)   be signed by the claimant, or the legal representative or counsel for the claimant.

(b)   The Treasurer may:

(1)   consider a claim for money damages under this subtitle or delegate wholly or partly this responsibility to other State personnel; and

(2)   contract for any support services that are needed to carry out this responsibility properly.

(c)   (1)   In this section, "structured settlement" means a plan for the payment of a settlement or judgment to a claimant for damages in periodic installments.

(2)   Unless a contract with a private insurer provides otherwise, the Treasurer or designee may compromise and settle a claim for money damages after the Treasurer or designee consults with the Attorney General.

(3)   The State may enter into a structured settlement to the extent permitted in § 12-104(a)(2) of this subtitle.

(4)   If a structured settlement is entered into, the State and the claimant shall select the investment company by mutual agreement.

(5)   The acceptance of a settlement by a claimant is, as to that claimant:

(i)   final; and

(ii)   a complete release of each claim arising from the same cause of action against:

1.   the State;

2.   each of its units; and

3.   all State personnel.

(d)   A claim under this subtitle is denied finally:

(1)   if, by certified mail, return receipt requested, under a postmark of the United States Postal Service, the Treasurer or designee sends the claimant, or the legal representative or counsel for the claimant written notice of denial; or

(2)   if the Treasurer or designee fails to give notice of a final decision within 6 months after the filing of the claim.

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